

ZB# 05-42

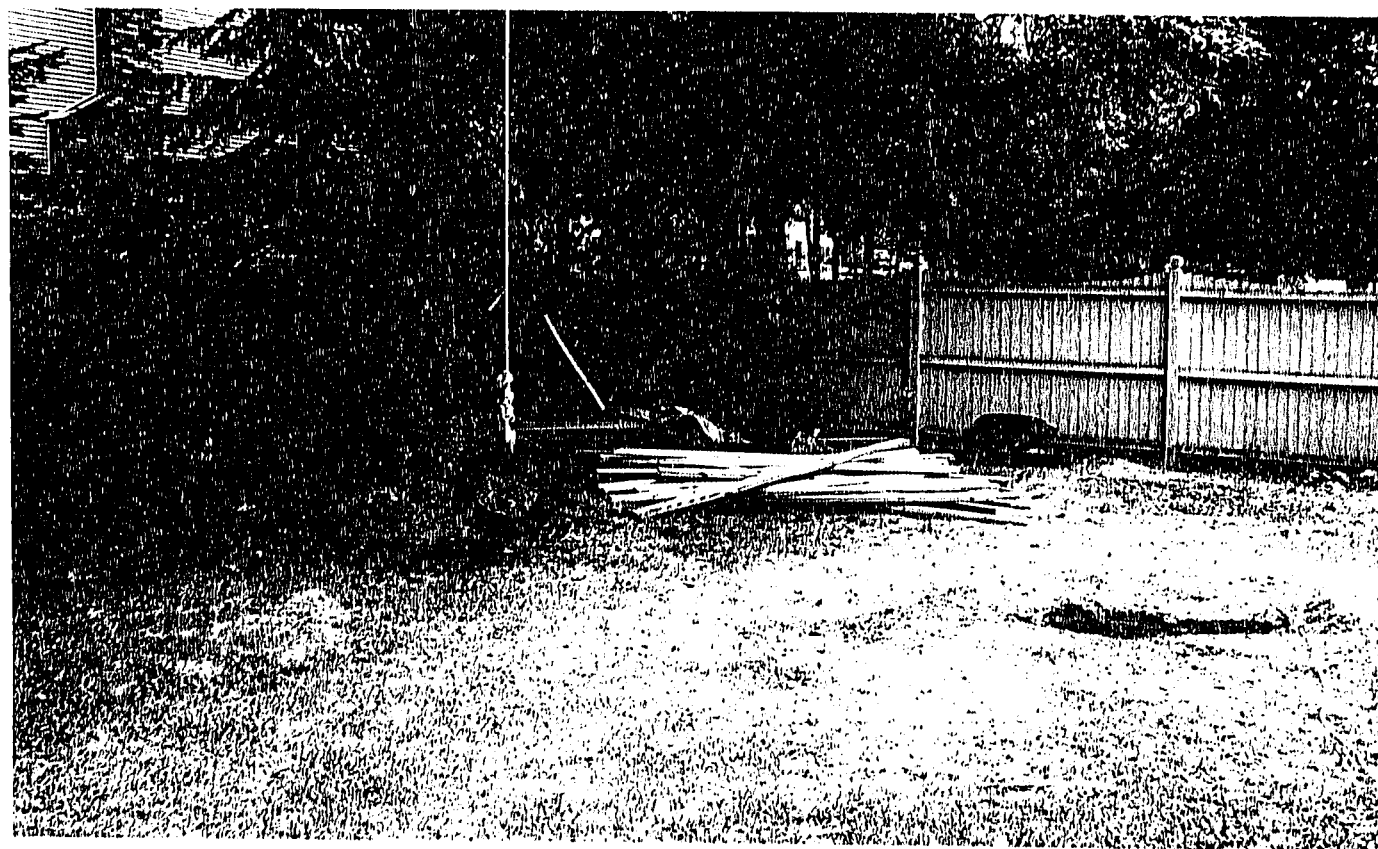
Archibald Austin

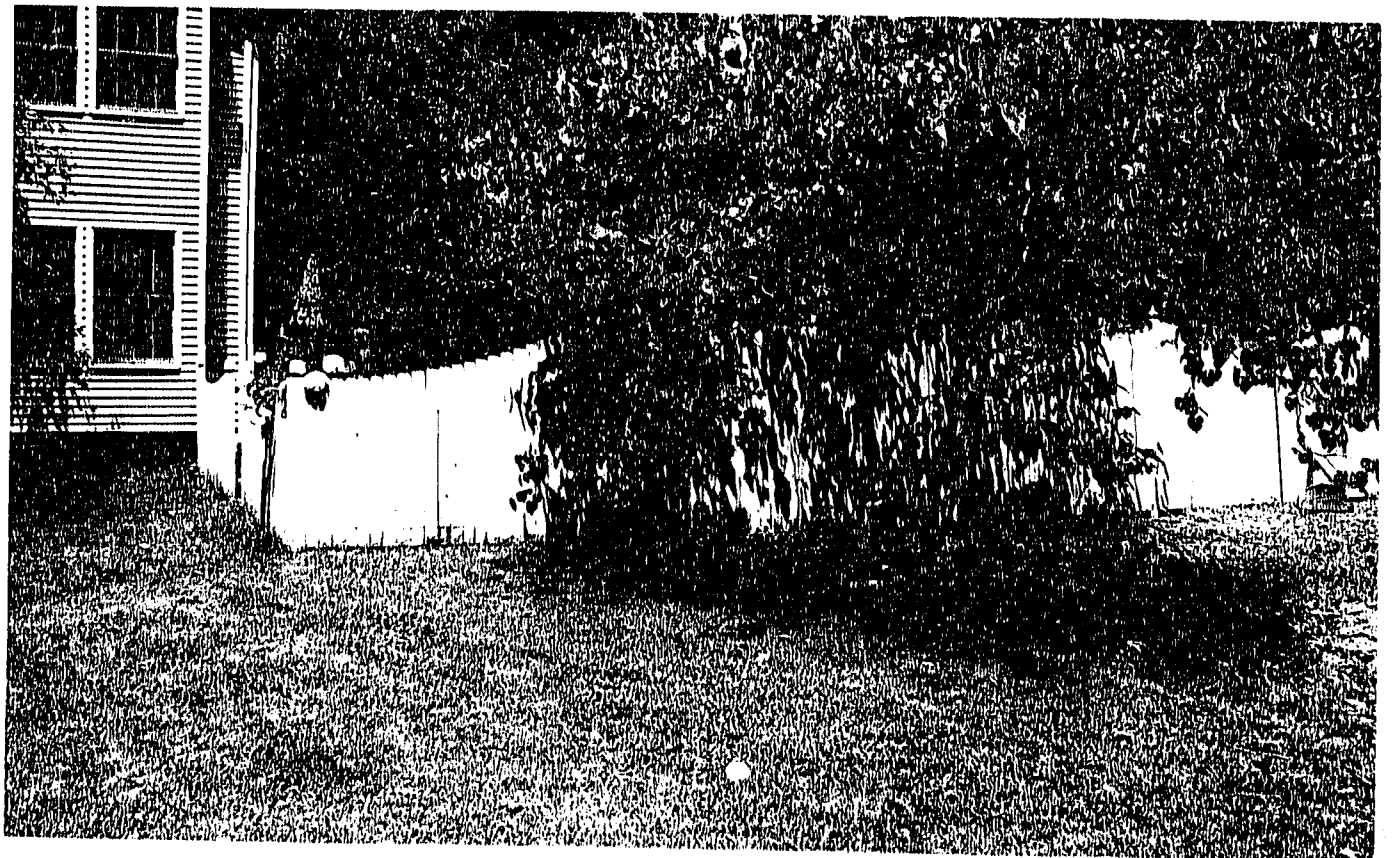
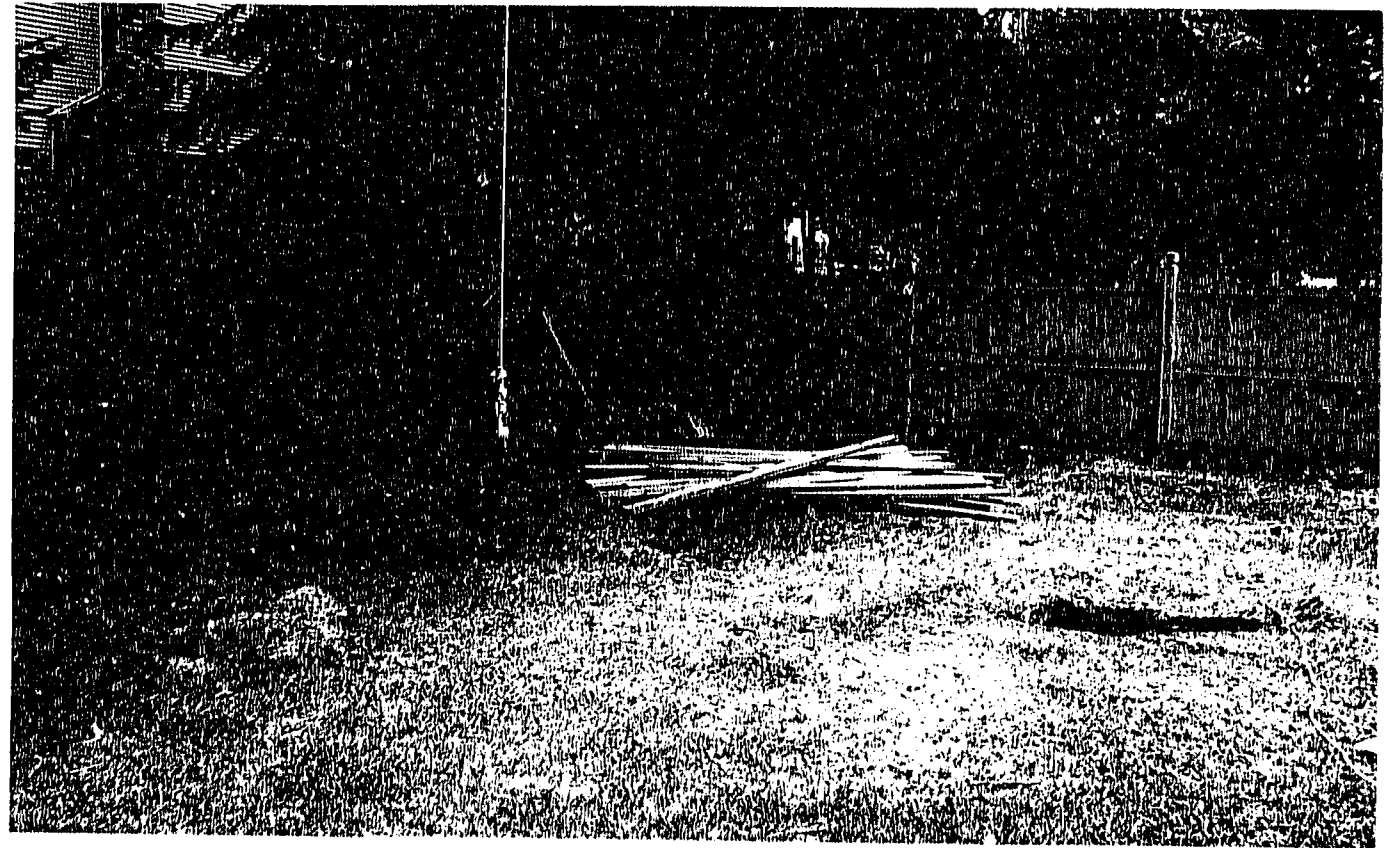
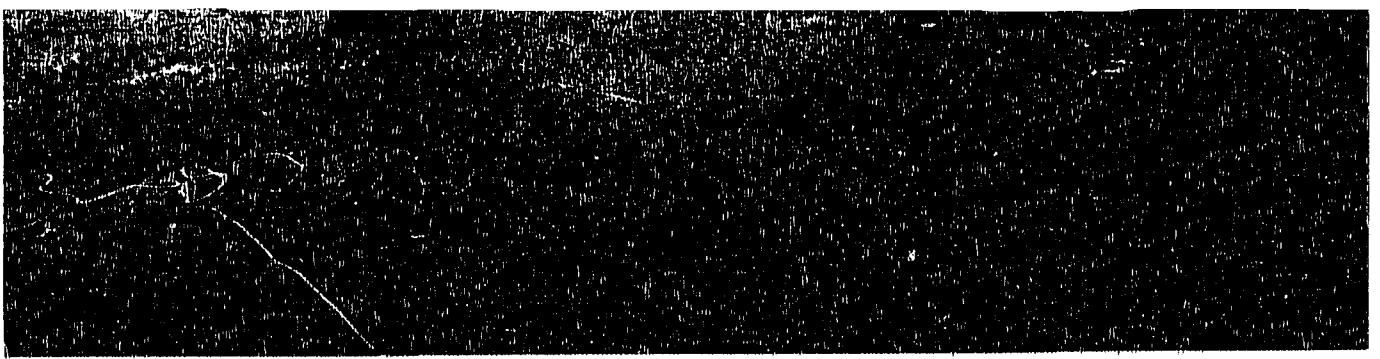
51-2-18

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 8-22-05

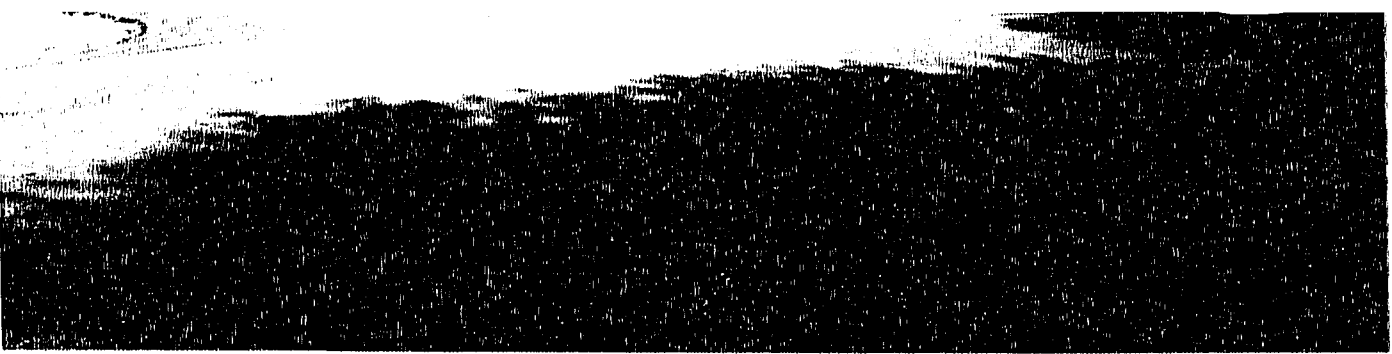
ARCHIBALD AUSTIN (AREA)
2 KAREN CT. (51-2-18)

05-42









ARCHIBALD AUSTIN (AREA)
2 KAREN CT. (51-2-18)

05-42

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 51-2-18

In the Matter of the Application of

ARCHIBALD AUSTIN

**MEMORANDUM OF
DECISION GRANTING**

AREA

CASE #05-42

WHEREAS, Archibald Austin , owner(s) of 2 Karen Court, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 6 ft. fence to project closer to the street than the principal building on a corner lot at 2 Karen Ct. in an R-1 Zone (51-2-18)

WHEREAS, a public hearing was held on August 22, 2005 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Times Herald Record, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) The property is located on the corner of two roads.
 - (c) The applicant proposes to place a six foot fence in place of the existing fence.

- (d) The proposed fence, if permitted, will not interfere with the safe operation of motor vehicles on the adjacent roadways.
- (e) The fence will not create the ponding or collection of water or divert the flow of water drainage.
- (f) The property is improved by a pool and the applicant seeks permission to erect a six foot fence for safety connected with the use of an existence of the pool.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

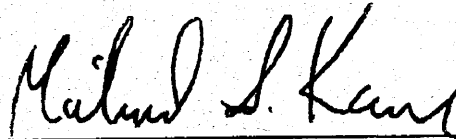
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 6 ft. fence to project closer to the street than the principal building on a corner lot at 2 Karen Ct. in an R-1 Zone (51-2-18) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: August 22, 2005

A handwritten signature in cursive script, reading "Michael S. Kaur", is written over a horizontal line.

Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

OFFICE OF THE ZONING BOARD OF APPEALS

November 29, 2005

Archibald Austin
2 Karen Court
Rock Tavern, NY 12575

SUBJECT: REQUEST FOR VARIANCE #05-42

Dear Mr. Austin:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason
Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: June 28, 2005

**APPLICANT: Archibald Austin
2 Karen Ct
Rock Tavern, NY 12575**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 6/21/05

FOR : Proposed 6ft. fence

LOCATED AT: 2 Karen Ct.

ZONE: R-1 Sec/Blk/ Lot: 51-2-18

DESCRIPTION OF EXISTING SITE: Existing one-family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed 6Ft. fence can not project between house and street. This is a corner lot.**

COPY


BUILDING INSPECTOR

PERMITTED

**PROPOSED OR
AVAILABLE:**

**VARIANCE
REQUEST:**

ZONE: R-1 USE: Bulk Tables

300-11

C-1-C

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

RECEIVED
JUN 21 2005

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: 5-615

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

X Owner of Premises ARCHIBALD AUSTIN
X Address 2 KAREN COURT Phone # 497-3382
X Mailing Address ROCK TAVERN Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer _____

(Name and title of corporate officer)

1. On what street is property located? On the _____ side of KAREN COURT
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

X 3. Tax Map Description: Section 51 Block #2 Lot 18

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

X 6. Is this a corner lot? YES moving wood fence 6' on prop.

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost ZONING BOARD Fee 0

Spoke to owner
6-28-05 RL

APPLICATION FOR BUILDING PERMITS

date

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4818
(845) 563-4885 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Address of Applicant)

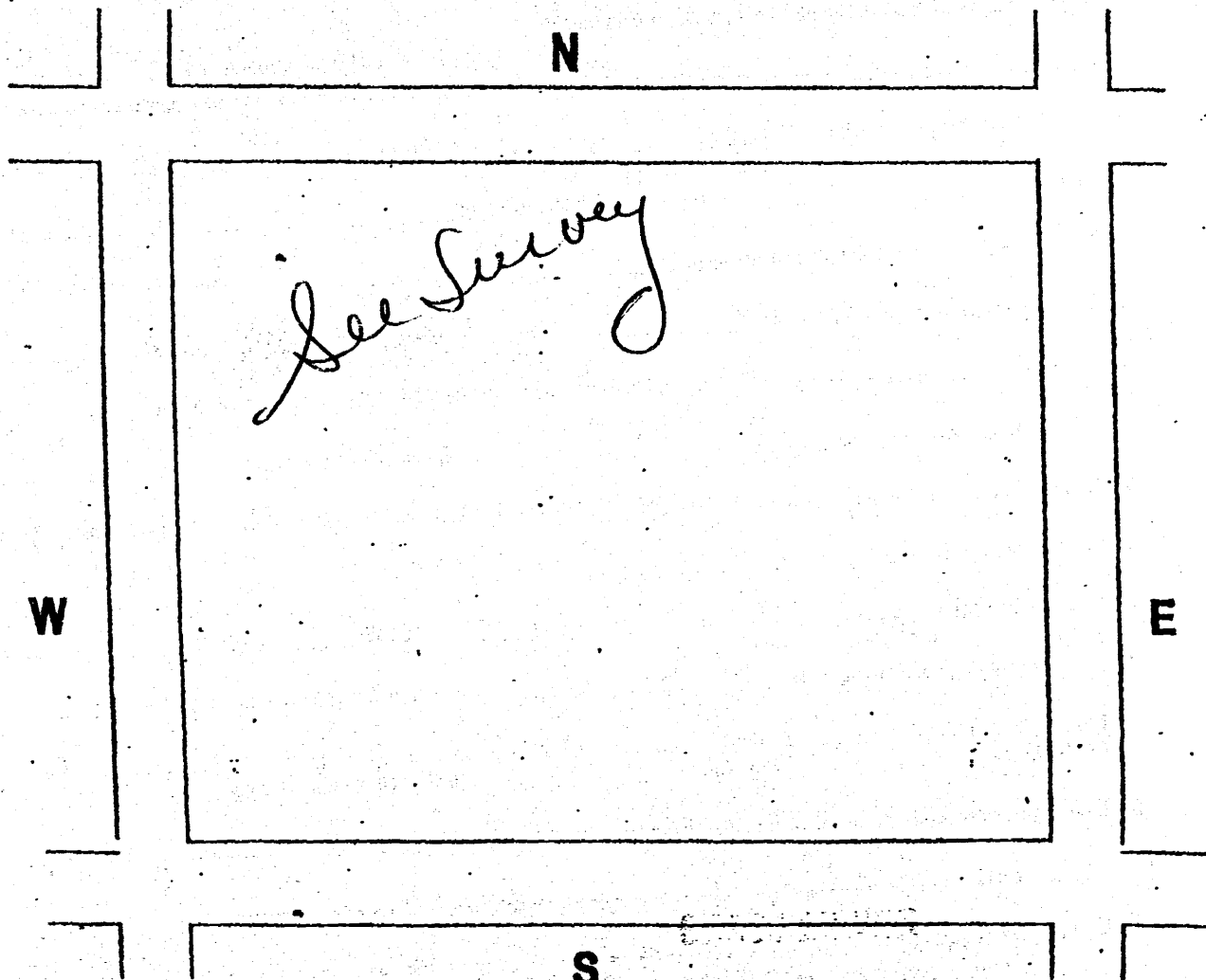
(Owner's Signature)

(Owner's Address)

PLOT PLAN

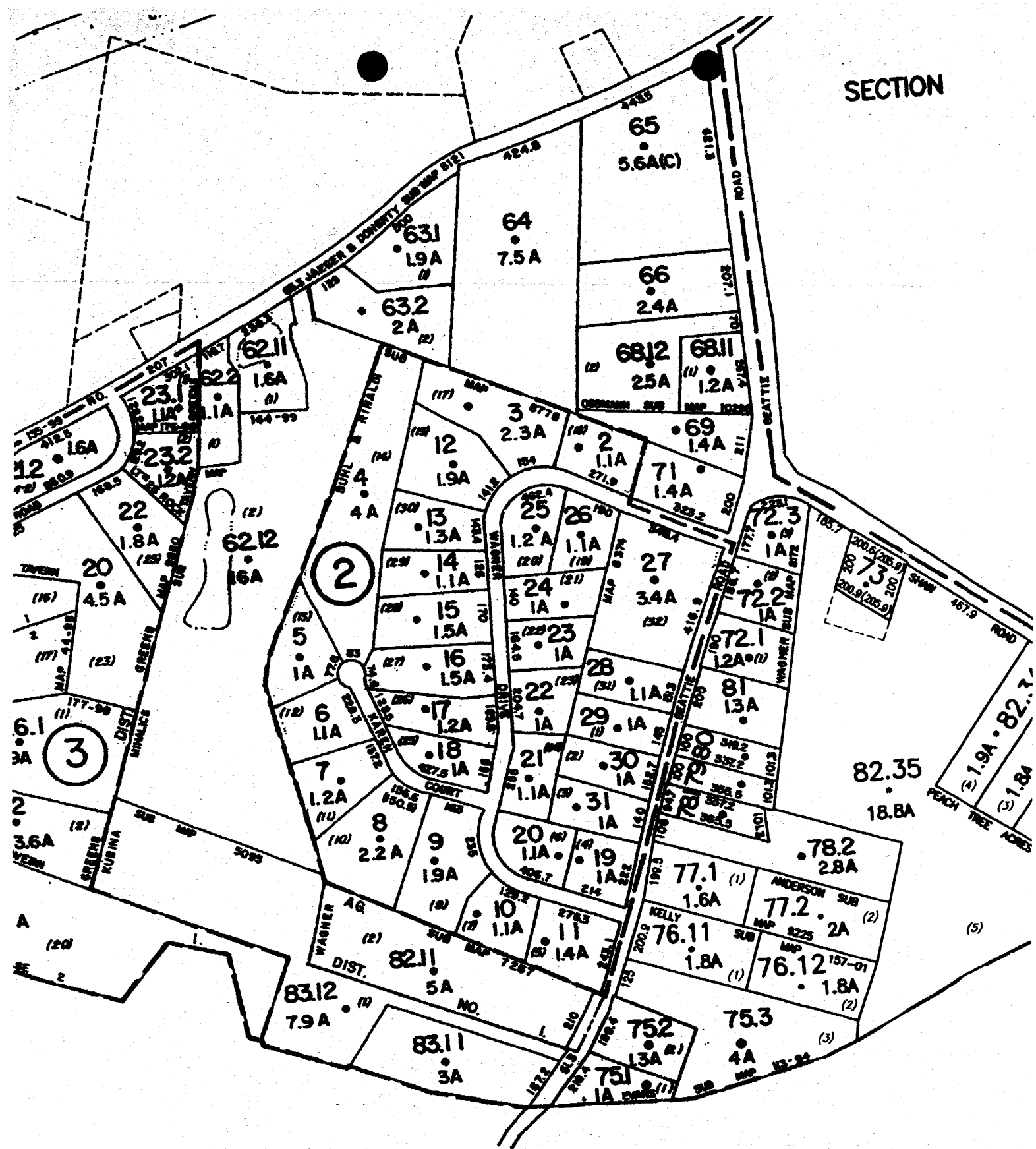
NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
DO NOT SCALE THIS DRAWING FOR CONSTRUCTION

SECTION



TY-NEW YORK

TOWN
Section

**SURVEY: LANDS TO BE CONVEYED TO
ARCHIBALD AUSTIN & ANN MORRIS-AUSTIN**

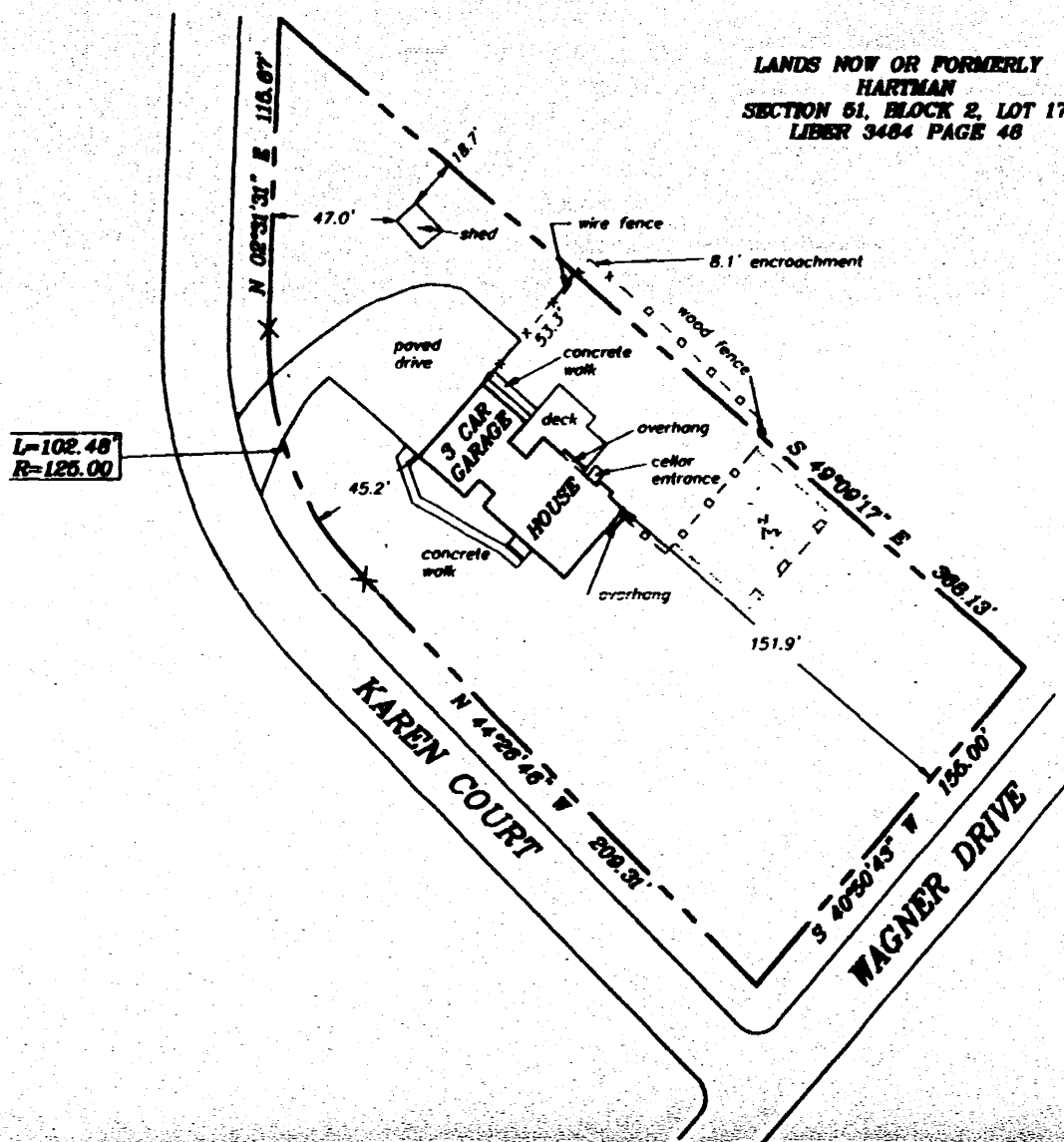
2 KAREN COURT, TOWN OF NEW WINDSOR, COUNTY OF ORANGE, STATE OF NEW YORK
SCALE: 1" = 60 FEET DATE: AUGUST 27, 2001

TAX MAP DESIGNATION: SECTION 51, BLOCK 2, LOT 18

DEED REFERENCE: LIBER 3246 PAGE 110

AREA: 44,524 sq. ft. or 1.02 ± ACRES

**REFERENCE: BEING LOT # 26 AS SHOWN ON A MAP ENTITLED "BUHL
& RINALDI SUBDIVISION" FILED IN THE ORANGE COUNTY CLERKS OFFICE
ON MARCH 24, 1988 AS MAP # 8778.**



AUGUST 27, 2001

CERTIFIED TO:

ARCHIBALD AUSTIN & ANN MORRIS-AUSTIN
VINTAGE ABSTRACT CORP.

HSBC MORTGAGE CORPORATION, (USA)
ITS SUCCESSORS AND/OR ASSIGNS,
FOR THIS MORTGAGE ONLY.

TO BE A TRUE SURVEY PERFORMED IN THE
FIELD AND CORRECT TO THE BEST OF MY
KNOWLEDGE AND BELIEF CORRECT.

SURVEY NOTES:

1. CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF P.R. LAND SURVEYORS ADOPTED BY THE NEW YORK STATE ASSOC PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL TO THOSE NAMED INDIVIDUALS AND/OR INSTITUTIONS FOR WH SURVEY IS PREPARED. CERTIFICATIONS ARE NOT TRANSFERABLE ADDITIONAL INDIVIDUALS, INSTITUTIONS, THEIR SUCCESSORS A ASSIGNS OR SUBSEQUENT OWNERS.
2. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP LICENSED LAND SURVEYORS SEAL IS A VIOLATION OF SECTION SUBDIVISION 2 OF THE N.Y. STATE EDUCATION LAW. ONLY CC ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF TH SURVEYORS INKED SEAL OR HIS EMBOSSED SEAL SHALL BE TO BE VALID TRUE COPIES.
3. SUBJECT TO AN UP TO DATE ABSTRACT OF TITLE. SUBJECT TO UNDERGROUND UTILITIES AND EASEMENTS NOT I AND/OR NOT VISIBLE AT TIME OF FIELD SURVEY.

DANIEL P. YANO

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: AUGUST 31, 2005
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 157.22 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #05-42

NAME & ADDRESS:

**Archibald Austin
2 Karen Court
Rock Tavern, NY 12575**

THANK YOU,

MYRA

L.R.8-31-05



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #05-42 TYPE:AREA TELEPHONE: 497-3380

APPLICANT:

Archibald Austin
2 Karen Court
Rock Tavern, NY 12575

RESIDENTIAL:	\$ 50.00	CHECK # <u>734</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 733



<u>DISBURSEMENTS:</u>		<u>MINUTES</u>	<u>ATTORNEY</u>
		<u>\$5.50 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>3</u>	PAGES	<u>\$ 16.50</u>	<u>\$ 35.00</u>
2 ND PRELIMINARY:	—	PAGES	<u>\$ _____</u>	<u>\$ _____</u>
PUBLIC HEARING:	<u>2</u>	PAGES	<u>\$11.00</u>	<u>\$ 35.00</u>
PUBLIC HEARING:	—	PAGES	<u>\$ _____</u>	<u>\$ _____</u>

LEGAL AD: Publish Date:8-11-05 \$ 45.28

TOTAL:	<u>\$ 72.78</u>	<u>\$ 70.00</u>
--------	-----------------	-----------------



ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 142.78

AMOUNT DUE: \$ _____

REFUND DUE: \$ 157.22

Cc:

L.R. 8-31-05

Town of New Windsor
ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 05-42

Request of ARCHIBALD AUSTIN

for a VARIANCE of the Zoning Local Law to Permit Request for 6 ft. fence to project closer to the street than the principal building on a corner lot at 2 Karen Ct. in an R-1 Zone (S1-2-18).

PUBLIC HEARING will take place on AUGUST 22, 2005 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

MICHAEL KANE
CHAIRMAN

Ad Number: 1786296 Advertiser: NEW WINDSOR, TOWN

Phone: 8455634615 Sys No: 1194114 Caller: MYRA MASON

INVOICING CUSTOMER:

Phone: 8455634615 Sys No: 1194114 AcctNo: P.O. No:

Name: NEW WINDSOR, TOWN Subscriber:

Address: ZONING AND PLANNING

555 UNION AVENUE

NEW WINDSOR NY 12553

ORDER:

Printed By: THRFODDRIL Date: 08/08/2005 Assigned Sales: AdType: LINER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

NOTES:

Change Reason:

INSERTION:

Product: THN Paper: IN Class: 999X

Schedule: Start Date - 08/11/2005 End Date - 08/11/2005

Sort: TOWN OF NEW WINDSORZONING BOARD OF APPE

PRODUCTION:

Text Size: 2 x 24.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

Tearsheets: 1 Proofs: 0 Affidavits: 1 Alt Addr: N

PRICING:

Price: 45.28 Payment Method: B1 Amount Paid: 0 Amount Owed: 45.28

PriceMethod: 0 (0=Normal, 1=User Net, 2=System Gross) Rate Code: LEL

For fields listed below 0 = NO 1 = YES

Till Forbid: 0 Mult. Content: 0

August 22, 2005

48

ARCHIBALD_AUSTIN_(05-42)

Mr. Archibald Austin appeared before the board for this proposal.

MR. KANE: Request for 6 ft. fence to project closer to the street than the principal building on a corner lot at 2 Karen Court.

MR. KANE: Evening, sir, come on up, tell us what you want to do.

MR. AUSTIN: My last meeting I was requesting, you requested me to bring additional photos and I did which would show the intersection of Karen Court and Wagner as it relates to the fencing. As you look at the pictures you'll see that brown frame in the rear that's about a hundred plus feet from the corner that's the fence in question.

MR. KANE: Let the record show that I'm in possession of four pictures showing that there's no way that the proposed fence would impede any view of traffic from any vehicles going by the property. Not going to be cutting down any trees, substantial vegetation with the building of the fence?

MR. AUSTIN: No.

MR. KANE: Create any water hazards or runoffs?

MR. AUSTIN: No.

MR. KANE: And the reason you're going for a 6 foot fence is for safety reasons?

MR. AUSTIN: Safety reasons as relates to the pool I would like to install.

MR. KANE: So gives you a little bit of privacy and

August 22, 2005

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safety for the pool?

MR. AUSTIN: That's correct.

MR. KANE: Okay, let me ask if there's anybody in the audience for this particular hearing? Seeing as there's not, we'll close the public portion of the meeting and ask how many mailings we had.

MS. GALLAGHER: On the 10th of August, 22 notices were mailed out, no responses.

MR. KANE: Any board members have any further questions?

MR. MC DONALD: Accept a motion?

MR. KANE: I will.

MR. MC DONALD: Make a motion that we grant the request of Archibald Austin for 6 foot fence to project closer to the street than the principal building on a corner lot.

MS. GANN: Second the motion.

ROLL CALL

MS. GANN	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. KANE	AYE

PRELIMINARY MEETINGS:

ARCHIBALD AUSTIN (05-42)

Mr. Austin appeared before the board for this proposal.

MR. KANE: Mr. Austin, please come forward please. In New Windsor what we do is we have a preliminary meeting so that we can get an idea of what you want to do and that you have all the proper information for us. So, exactly what we do here tonight we repeat at the Public Hearing. So what I would like you to do is speak up loudly as we have microphones and tell us what you want to do sir.

MR. AUSTIN: My fence in question is approximately 20 feet off the house and I would like to extend that fence approximately 32 feet so I can accommodate an aboveground pool. That will put the fence 110 feet from one street is Wagner on the north east side and on the south side also 110 feet from that side of the house which is 2 Karen Court. So each side of the fence will be at least 110 feet from the street.

MR. KANE: And with that the fences won't block any view of traffic coming to that corner.

MR. AUSTIN: Not at all sir.

MR. KANE: Ok, can you provide for the Public Hearing, pictures of the intersection showing the home.

MR. AUSTIN: One of the pictures projects from the fence...

MR. KANE: Would that be this picture here sir.

MR. AUSTIN: Yes, there is another one with the flowers.

MR. KANE: This one here.

MR. AUSTIN: Yes, that projects way out.

MR. KANE: Ok, what I'd like you to do is just from the corner looking in.

MR. AUSTIN: Ok. The opposite.

MR. KANE: Yes, better view for me.

MR. AUSTIN: Ok. Next meeting?

MR. KANE: Yes. Is the fence similar in nature to other fences in your neighborhood.

MR. AUSTIN: There are a few.

MR. KANE: Ok.

MR. KREIGER: And they are similar to that, right?

MR. AUSTIN: Yes Sir.

MR. KANE: And you are looking more for safety for the pool and your children with going the six-foot instead of the four foot.

MR. AUSTIN: Exactly.

MR. KANE: Does anyone have any questions.

MR. REIS: Does this fence go over any easements or right-of-ways.

MR. AUSTIN: No sir. It is 110 feet from the street on each side of the fence.

MR. KRIEGER: Did you put the fence up?

MR. AUSTIN: Well, I started the process... then had to stop.

MR. KRIEGER: Well, I mean it was done while you were there right?

MR. AUSTIN: The current fence yes.

MR. KRIEGER: Did you remove any trees or substantial vegetation.

MR. AUSTIN: No I did not sir.

MR. KANE: Create any water hazards with the building of it.

MR. AUSTIN: No Sir.

MR. KANE: Michael, if he wasn't a corner lot, he would still be here because of the six foot height of the fence, yes?

MR. BABCOCK: No.

MR. KANE: No, he wouldn't be here it is just because he is a corner lot and the fence is basically in the front of the house because he has two front yards.

MR. BABCOCK: Yes, that is correct.

MR. KANE: Thank you.

MR. REIS: I'd like to make a motion that we set up Mr. Archibald Austin for a public hearing for his request for a six-foot fence to project closer to the street than the principal building on a corner lot at 2 Karen Court in an R-1 Zone.

MS. GANN: Second it.

ROLL CALL:

MS. GANN	AYE
MS. LOCEY	AYE
MR. BROWN	AYE
MR. REIS	AYE
MR. KANE:	AYE

MR. KANE: Just follow the directions right on there and it will tell you what to do and all we need is that one other picture from you please.



RESULTS OF Z.B.A. MEETING OF: August 22, 2005

PROJECT: Archibald Austin ZBA# 05-42

P.B.#

USE VARLANCE: NEED: EAF PROXY

LEAD AGENCY: M) _____ S) _____ VOTE: A N

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

PUBLIC HEARING: M)_____ S)_____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

APPROVED: M) S) VOTE: A N

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) S) VOTE: A N

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED: M. S. Gaur VOTE: A ☒ N ☒

GANN	<u>R</u>
LOCEY	<u> </u>
BROWN	<u> </u>
MC DONALD	<u>A</u>
REIS	<u>A</u>
KANE	<u>K</u>

CARRIED: Y ☒ N

[illegible]

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 07-25-05

FOR: ESCROW 05-42

FROM:

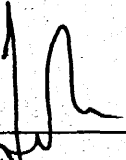
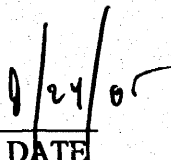
Archibald Austin
2 Karen Court
Rock Tavern, NY 12575

CHECK NUMBER: 733

TELEPHONE: 497-3380

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

1  NAME	8/24/05  DATE
--	--

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#677-2005

07/25/2005

Austin, Archibald *P.B. # 05-142*

Received \$ 50.00 for Planning Board Fees, on 07/25/2005. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

ARCHIBALD AUSTIN

AFFIDAVIT OF SERVICE BY MAIL

#05-42

X

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)


That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 10TH day of AUGUST, 2005, I compared the 22 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

10th day of August, 2006


Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2016



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

ZONING BOARD OF APPEALS

August 10, 2005

Mr. Archibald Austin
2 Karen Ct.
Rock Tavern, NY 12575

SUBJECT: REQUEST FOR VARIANCE #05-42

Dear Mr. Austin:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Times Herald Record Newspaper for publication. **PLEASE NOTE: The charge for publication in the Times Herald Record will be deducted from your escrow that was posted with your application papers.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

2 Karen Ct.
New Windsor, NY

is scheduled for the August 22, 2005 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

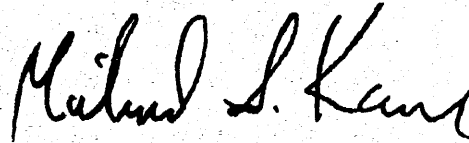
Appeal No. 05-42

Request of ARCHIBALD AUSTIN

for a VARIANCE of the Zoning Local Law to Permit:

Request for 6 ft. fence to project closer to the street than the principal building on a corner lot at 2 Karen Ct. in an R-1 Zone (51-2-18)

**PUBLIC HEARING will take place on AUGUST 22, 2005
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**



Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessors Office

July 26, 2005

Archibald Austin
2 Karen Court
Rock Tavern, NY 12575

Re: 51-2-18 ZBA#: 05-42 (22)


Dear Mr. Austin:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$45.00, minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's Office.

Sincerely,


J. Todd Wile, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

51-1-62.12

Lorelei Osborn
1897 Little Britain Road
Rock Tavern, NY 12575

51-2-6

Timothy & Jeryl McNeilly
7 Karen Court
Rock Tavern, NY 12575

51-2-9

William & Marjorie Byrnes
5 Wagner Drive
Rock Tavern, NY 12575

51-2-15

Steven & Linda Friedman
13 Wagner Drive
Rock Tavern, NY 12575

51-2-19

Richard Worthington
2 Wagner Drive
Rock Tavern, NY 12575

51-2-22

Russell & Teresa Martinson
8 Wagner Drive
Rock Tavern, NY 12575

51-2-28

Paul & Griselda Cordero
585 Beattie Road
Rock Tavern, NY 12575

51-2-31

Ronald James & Deborah Baisley
569 Beattie Road
Rock Tavern, NY 12575

51-2-4

Brian & Lisa Casey
8 Karen Court
Rock Tavern, NY 12575

51-2-7

Ronald & Kathleen Derevjanik
5 Karen Court
Rock Tavern, NY 12575

51-2-10

John & Kathleen Coffey
3 Wagner Drive
Rock Tavern, NY 12575

51-2-16

Joseph & Kathleen Orlando
11 Wagner Drive
Rock Tavern, NY 12575

51-2-20

Andrew & Carolan Morino
4 Wagner Drive
Rock Tavern, NY 12575

51-2-23

Joanne & Richard Delmoro
10 Wagner Drive
Rock Tavern, NY 12575

51-2-29

Richard & Denise Pagano
579 Beattie Road
Rock Tavern, NY 12575

51-2-5

Robert & Denise Vincini
9 Karen Court
Rock Tavern, NY 12575

51-2-8

Christopher & Frances Bennett
3 Karen Court
Rock Tavern, NY 12575

51-2-11

Robert & Linda Kean
P.O. Box 112
Rock Tavern, NY 12575

51-2-17

David & Lorraine Hartman
9 Wagner Drive
Rock Tavern, NY 12575

51-2-21

Patrick & Jane Dunnigan
6 Wagner Drive
Rock Tavern, NY 12575

51-2-24

Roger & Elizabeth Thomas
12 Wagner Drive
Rock Tavern, NY 12575

51-2-30

Alfonse & Nuccia Amato
573 Beattie Road
Rock Tavern, NY 12575

Town of New Windsor
ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 05-42

Request of: **ARCHIBALD AUSTIN**

for a **VARIANCE** of the Zoning Local Law to Permit:
 Request for 6 ft. fence to project closer to the street than the principal building on a corner lot at 2 Karen Ct. in an R-1 Zone (51-2-13)

PUBLIC HEARING will take place on **AUGUST 22, 2005** at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

MICHAEL KANE
CHAIRMAN

Ad Number: 1786296 Advertiser: NEW WINDSOR, TOWN

Phone: 8455634615 Sys No: 1194114 Caller: MYRA MASON

INVOIKING CUSTOMER:

Phone: 8455634615 Sys No: 1194114 AcctNo: P.O. No:

Name: NEW WINDSOR, TOWN Subscriber:

Address: ZONING AND PLANNING

555 UNION AVENUE

NEW WINDSOR NY 12553

ORDER:

Printed By: THRFODRML Date: 08/08/2005 Assigned Sales: TownofNewWindsor ZONINGBOARDOFAPPEALS P AdType: LINER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

NOTES:

Change Reason:

INSERTION:

Product: THI Paper: TH Class: 999X; LEGAL BILLING

Schedule: Start Date - 08/11/2005 End Date - 08/11/2005

Sort: TOWN OF NEW WINDSORZONING BOARD OF APPEA

PRODUCTION:

Text Size: 2 x 24.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

Tearsheets: 1 Proofs: 0 Affidavits: 1 Alt Addr: N

PRICING:

Price: 45.28 Payment Method: B1 Amount Paid: 0 Amount Owed: 45.28

PriceMethod: 0 (0=Normal, 1=User Net, 2=System Gross) Rate Code: LEL

For fields listed below 0 = NO 1 = YES

Tell Forbid: 0 Mult. Content: 0

RESULTS OF Z.B.A. MEETING OF: July 29 2005PROJECT: Archibald AustinZBA # 05-42

P.B.# _____

USE VARIANCE: _____

NEED: EAF _____

PROXY _____



LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____

LOCEY _____

BROWN _____

MCDONALD _____

REIS _____

KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____

LOCEY _____

BROWN _____

MCDONALD _____

REIS _____

KANE _____

CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____

LOCEY _____

BROWN _____

MCDONALD _____

REIS _____

KANE _____

CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____

LOCEY _____

BROWN _____

MCDONALD _____

REIS _____

KANE _____

CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: _____

M) RS S) GVOTE: A 5 N _____GANN ALOCEY ABROWN A~~MCDONALD~~ AREIS AKANE ACARRIED: Y ✓ N _____

PUBLIC HEARING: _____

STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: _____

M) _____ S) _____ VOTE: A _____ N _____

GANN _____

LOCEY _____

BROWN _____

MCDONALD _____

REIS _____

KANE _____

CARRIED: Y _____ N _____

Take picture from corner toward your propertyReis - easements R-O-W'sKreigs - Vegetation



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

ZONING BOARD OF APPEALS

July 19, 2005

Mr. Archibald Austin
2 Karen Ct.
Rock Tavern, NY 12575

SUBJECT: REQUEST FOR VARIANCE #05-42

Dear Mr. Austin:

This letter is to inform you that you have been placed on the July 25th, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

2 Karen Ct.
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

Building Permit Tracking Log

Permit Application:

PA2005-615

Tax Parcel ID:

51-2-18

Application Date: **6/22/2005**

Type of Permit: **Residential Fence**

Location of Property: **2 Karen Ct**

Property Owner: **Austin, Archibald
Austin, Ann Morris
2 Karen Ct
Rock Tavern, NY 12575**

Occupant's Name:

Applicant's Name: **ARCHIBALD AUSTIN**

Relation To Owner: **Owner**

Occupancy Class: **210**

Description of Work:

RELOCATING 6FT. FENCE ON PROPERTY

Comments:

Building Permit Application Review Approvals

Review Type	Building Inspector	Date	Fire Inspector	Date
ZBA				
FINAL	<i>[Signature]</i>	6/24		

6' ZBA. Needed
6' fence can NOT project between House & Street's
SECT 300-11 C-1-C

Affidavit of Exemption to Show Specific Proof of Workers' Compensation Insurance Coverage for a 1, 2, 3 or 4 Family, Owner-occupied Residence

Under penalty of perjury, I certify that I am the owner of the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit that I am applying for, and I am not required to show specific proof of workers' compensation insurance coverage for such residence because (please check the appropriate box):

- ☒ I am performing all the work for which the building permit was issued.
- ☐ I am not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping me perform such work.
- ☐ I have a homeowners insurance policy that is currently in effect and covers the property listed on the attached building permit AND am hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for which the building permit was issued.

I also agree to either:

- ♦ acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if I need to hire or pay individuals a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit; OR
- ♦ have the general contractor, performing the work on the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit that I am applying for, provide appropriate proof of workers' compensation coverage or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if the project takes a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit.

Arch A Austin
(Signature of Homeowner)

6/21/05
(Date Signed)

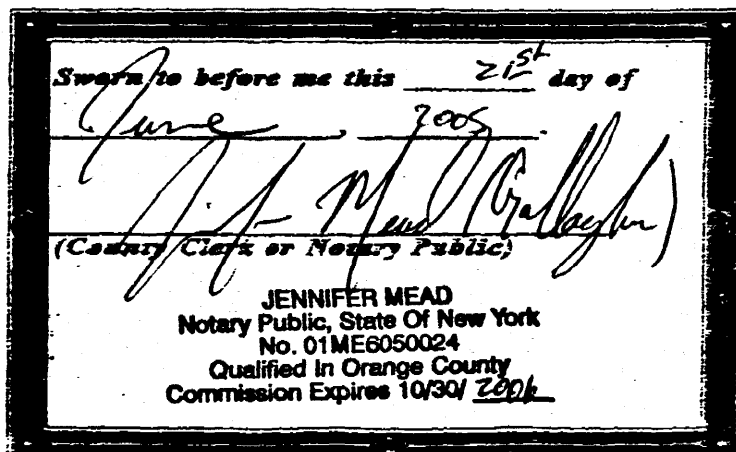
ARCHIBALD AUSTIN
(Homeowner's Name Printed)

Home Telephone Number 497-3380

DL#848-944-756
exp. 06-01-10

Property Address that requires the building permit:

2 KAREN COURT
ROCK TAVERN NY
SE2A51, BLOCK A2, LOT A18



LAWS OF NEW YORK, 1998
CHAPTER 439

The general municipal law is amended by adding a new section 125 to read as follows:

125. ISSUANCE OF BUILDING PERMITS. NO CITY, TOWN OR VILLAGE SHALL ISSUE A BUILDING PERMIT WITHOUT OBTAINING FROM THE PERMIT APPLICANT EITHER:

1. PROOF DULY SUBSCRIBED THAT WORKERS' COMPENSATION INSURANCE AND DISABILITY BENEFITS COVERAGE ISSUED BY AN INSURANCE CARRIER IN A FORM SATISFACTORY TO THE CHAIR OF THE WORKERS' COMPENSATION BOARD AS PROVIDED FOR IN SECTION FIFTY-SEVEN OF THE WORKERS' COMPENSATION LAW IS EFFECTIVE; OR

2. AN AFFIDAVIT THAT SUCH PERMIT APPLICANT HAS NOT ENGAGED AN EMPLOYER OR ANY EMPLOYEES AS THOSE TERMS ARE DEFINED IN SECTION TWO OF THE WORKERS' COMPENSATION LAW TO PERFORM WORK RELATING TO SUCH BUILDING PERMIT.

Implementing Section 125 of the General Municipal Law

1. General Contractors and Business Owners

For businesses listed as the general contractors on building permits, proof that they are in compliance with Section 57 of the Workers' Compensation Law (WCL) is ONE of the following forms that indicate that they are:

- insured (C-105.2 or U-26.3),
- self-insured (SI-12), or
- are exempt (C-105.21),

under the mandatory coverage provisions of the WCL. Any residence that is not a 1, 2, 3 or 4 Family, Owner-occupied Residence is considered a business (income or potential income property) and must prove compliance by filing one of the above forms.

2. Owner-occupied Residences

For homeowners of a 1, 2, 3 or 4 Family, Owner-occupied Residence, proof of their exemption from the mandatory coverage provisions of the Workers' Compensation Law when applying for a building permit is to file form BP-1(3/99).

- ◆ Form BP-1(3/99) shall be filed if the homeowner of a 1, 2, 3 or 4 Family, Owner-occupied Residence is listed as the general contractor on the building permit, and the homeowner:
 - ◇ is performing all the work for which the building permit was issued him/herself,
 - ◇ is not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping the homeowner perform such work, or
 - ◇ has a homeowner's insurance policy that is currently in effect and covers the property for which the building permit was issued AND the homeowner is hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for the work for which the building permit was issued.
- ◆ If the homeowner of a 1, 2, 3 or 4 Family, Owner-occupied Residence is hiring or paying individuals a total of 40 hours or MORE in any week (aggregate hours for all paid individuals on the jobsite) for the work for which the building permit was issued, then the homeowner may not file the "Affidavit of Exemption" form, BP-1(3/99), but shall either:
 - ◇ acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit (the C-105.2 or U-26.3 form), OR
 - ◇ have the general contractor, (performing the work on the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit) provide appropriate proof of workers' compensation coverage, or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit.



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



7/25
Agenda

APPLICATION FOR VARIANCE

07/11/2005
Date

Application Type: Use Variance ☐ Area Variance ☒
Sign Variance ☐ Interpretation ☐

I.

Owner Information:

ARCHIBALD A & ANN AUSTIN Phone Number: (845) 497-3380
Fax Number: ()
(Name)
2 KAREN COURT ROCK TAVERN NY 12575
(Address)

II.

Applicant:

ARCHIBALD & ANN AUSTIN Phone Number: (845) 497-3380
Fax Number: ()
(Name)
2 KAREN COURT ROCK TAVERN 12575
(Address)

III.

Forwarding Address, if any, for return of escrow:

Phone Number: ()
Fax Number: ()
(Name) N/A
(Address)

IV.

Contractor/Engineer/Architect/Surveyor/:

Phone Number ()
Fax Number: ()
(Name) N/A
(Address)

V.

Property Information:

Zone: R-1 Property Address in Question: 2 KAREN COURT ROCK TAVERN
Lot Size: Tax Map Number: Section 51 Block 2 Lot 18
a. What other zones lie within 500 feet? NONE
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? 09-13-2001
d. Has property been subdivided previously? NO If so, When:
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

****PLEASE NOTE:****

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF
SUBMITTAL.**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

We would like to install a pool
in our yard. Expanding the yard about 32' would
make this possible. The area in question would
allow us to maximize the use of the property
with out disturbing our neighbors. The expansion
would also allow us to maintain privacy between us
and our neighbors. As proposed the new fence would
be 110' from the street KAREN COURT to the south and
110' from the street WAGNER DRIVE to the east. This request
only impacts a small portion of the property.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Trees will be planted
in some areas around the fence.

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: **(each payable to the TOWN OF NEW WINDSOR)**
- ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
- ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☐ Photographs of existing premises (5 or 6) from several angles. **(IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)**

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

11th day of July 2005.

[Signature]
Owner's Signature (Notarized)

ARCHIBALD AUSTIN
Owner's Name (Please Print)

[Signature]
Signature and Stamp of Notary

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 2007
[Signature]
Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐